

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO.** 1:23-mj-02232-Reid

**UNITED STATES OF AMERICA**

**vs.**

**THEODORE NOYCE,**

**Defendant.**

**CRIMINAL COVER SHEET**

1. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? No
2. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? No

Respectfully submitted,

MARKENZY LAPOINTE  
UNITED STATES ATTORNEY

BY:



MICHAEL BRENNER  
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AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America

v.

THEODORE NOYCE,

Case No. 1:23-mj-02232-Reid

*Defendant(s)*

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 7, 2023 in the county of Miami-Dade in the  
Southern District of Florida, the defendant(s) violated:

*Code Section*

18 U.S.C. § 2252(a)(4)(B)

*Offense Description*

Possession of Child Pornography

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT.

☒ Continued on the attached sheet.



*Complainant's signature*

Jose E. Chang, SA HSI

*Printed name and title*

Attested to by the Applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by Face Time

Date: February 8, 2023



*Judge's signature*

City and state: Miami, Florida

Hon. Lisette M. Reid, U.S. Magistrate Judge

*Printed name and title*

**AFFIDAVIT IN SUPPORT OF A COMPLAINT**

I, Jose E. Chang, Special Agent with Homeland Security Investigations (“HSI”), having been first duly sworn, do hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I am a law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18 of the United States Code. That is, I am an officer of the United States who is empowered by law to conduct investigations of, and make arrests for, offenses enumerated in Title 18, United States Code, Sections 2422, 2423, 2251, and 2252, et seq.

2. I am a Special Agent (“SA”) with Homeland Security Investigations, Immigration and Customs Enforcement (ICE), SAC Miami, and have been so employed since May 2002. I am currently assigned to the Cybercrimes Child Exploitation Group where I investigate multiple violations of federal law involving the sexual exploitation of children such as trafficking and possession of child pornography, coercion and enticement of minors, and child prostitution.

3. As a federal agent, I have participated in investigations of persons suspected of violating federal child pornography laws, including Title 18, United States Code, Sections 2251, 2252 and 2252A. These investigations have included the use of surveillance techniques, undercover activities, the interviewing of subjects and witnesses, and the planning and execution of arrest, search, and seizure warrants. In the course of these investigations, I have reviewed thousands of still images and videos containing child pornography and images depicting minor children engaged in sexually explicit conduct on all forms of electronic media including computers, digital cameras, and wireless telephones, and have discussed and reviewed these materials with other law enforcement officers. I have also participated in training programs for

the investigation and enforcement of federal child pornography laws relating to the use of computers for receiving, transmitting, and storing child pornography.

4. I have participated in investigations involving pedophiles, preferential child molesters, and persons who collect and/or distribute child pornography, along with the importation and distribution of materials relating to the sexual exploitation of children. I have received training in the area of child pornography and child exploitation, and, during the course of my duties, I have observed and reviewed examples of child pornography.

5. This Affidavit is submitted in support of a criminal complaint which charges Theodore NOYCE (NOYCE) with possession of child pornography, in violation of Title 18, United States Code, Section 2252(a)(4)(B).

6. The information set forth in this affidavit comes from my personal involvement in this investigation, as well as from information provided to me by other law enforcement officers and people with knowledge of the case. This affidavit does not represent every fact law enforcement knows about this investigation but is submitted for the limited purpose of establishing probable cause for the issuance of the criminal complaint against NOYCE for the aforementioned criminal violations.

#### **PROBABLE CAUSE**

7. On February 7, 2023, NOYCE arrived at Miami International Airport (MIA) via American Airlines 908 from Buenos Aires, Argentina. United States Customs and Border Protection (CBP) directed NOYCE for secondary inspection. During the inspection, CBP Officers found a Galaxy Samsung S10 cellphone and a Dell laptop computer. NOYCE confirmed that he owned the cellphone and the laptop computer.

8. NOYCE consented to CBP looking at his devices and provided the passwords. Upon reviewing NOYCE's cellphone, CBP Officers saw multiple files of suspected child pornography saved in the gallery, including videos depicting the sexual abuse of toddlers.

9. CBP Officers contacted Homeland Security Investigations (HSI). HSI Special Agents searched NOYCE's cellphone, pursuant to HSI's border search authority, and found multiple files of suspected child pornography, including the following:

- a. File titled VID\_20221025\_205608\_894.mp4.mov, which contained a video file depicting an naked adult male touching the genitals of naked female toddler.
- b. File titled VID\_20221003\_170140\_158.mp4, which contained a video file depicting an adult inserting her fingers into the vagina a naked female toddler.
- c. File titled 1\_5167941071316975815.mp4, which contained a video file depicting a preteen female performing oral sex on an adult male.
- d. File titled 1\_5064456991120819027.mp4, which contained a video file depicting a naked adult male engaging in anal sex with a preteen female.
- e. File titled 1\_5064456991120819024.mp4, which contained a video file depicting an unknown person recording a video of a newborn infant being forced to perform oral sex on an adult male.
- f. File titled ZUwJ0-Dy8RRlw5Yd.mp4, which contained a video file depicting a preteen female exposing and rubbing her genitals.
- g. File titled VID\_20221030\_220919\_682.mp4.mov, which contained a video file depicting, a unknown individual performing oral sex on a female toddler. Only the genitals of the toddler can be seen in the video.



- h. File titled VID\_20221013\_092133\_937.mp4, which contained a video file depicting an unknown individual performing oral sex a female toddler. Only the genitals of the toddler can be seen in the video.
- i. File titled VID\_20221013\_092116\_697.mp4, which contained a video file depicting what appears to be a preteen / minor female performing oral sex on an adult male.

10. HSI Special Agents also performed a limited search of NOYCE's laptop, pursuant to HSI's border search authority, and found file names indicative of child pornography in the device's list of recently viewed files.

11. Post-Miranda, NOYCE again confirmed that he owned the cellphone and the laptop computer and that no one else had used the devices. When asked about the files of child pornography located on his cell phone, NOYCE requested an attorney and the interview ended.

#### **CONCLUSION**

12. Based on the aforementioned factual information, I respectfully submit that there is probable cause believe that NOYCE knowingly committed the offense of possession of child pornography, in violation of Title 18, United States Code, Section 2252(a)(4)(B).

**FURTHER SAYETH YOUR AFFIANT NAUGHT.**

  
\_\_\_\_\_  
Jose E. Chang  
Special Agent  
Homeland Security Investigations

Attested to by the applicant in accordance with the requirements of  
Fed.R.Crim.P. 4.1 by Face Time this 8th day of February 2023.

  
\_\_\_\_\_  
HONORABLE LISETTE M. REID  
UNITED STATES MAGISTRATE JUDGE